

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

RENE SOLIS,	§	
Plaintiff,	§	
	§	
v.	§	No. 3:20-cv-00765-E (BT)
	§	
J. BARBER, et al.	§	
	§	
Defendants.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Plaintiff's claims in the First Amended Complaint against Defendants Deaaron Wheaton, J. Cox, and John Doe 1 are **DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief can be granted. Those Defendant will be dismissed by separate judgment. The Court agrees, however, that Plaintiff's claims against Defendant D.S.O. Barber should proceed past judicial screening, and service is appropriate as to that Defendant.

As permission has been granted for Plaintiff to proceed *in forma pauperis* in this Court until judgment is entered, now, under 28 U.S.C. § 1915(d) and Federal Rule of Civil Procedure 4(c)(3), the Clerk of the Court shall issue summons, and deliver a copy of the September 1, 2021 First Amended Complaint to the U.S. Marshal. The U.S. Marshal shall serve process on the following defendant:

D.S.O. J. Barber 9076  
Dallas County Sheriff's Department  
Frank Crowley Courts Building  
133 N. Riverfront Blvd., LB 31  
Dallas, TX 75207

The Clerk shall also mail a courtesy copy of this Order and the December 16, 2021, Findings, Conclusions, and Recommendation to:

Elizabeth Lutton  
Dallas County Sheriff's Department Legal Advisor  
Frank Crowley Courts Building  
133 N. Riverfront Blvd., LB 31  
Dallas, TX 75207

J.G. Schuette  
Federal Litigation Division  
500 Elm Street, Suite 6300  
Dallas, TX 75202

It is further ORDERED that, at all times during the pendency of this action, Plaintiff shall immediately notify the Court of any change of address and its effective date. Such notice shall be captioned "NOTICE TO THE COURT OF CHANGE OF ADDRESS." The notice shall contain only information pertaining to the change of address and its effective date. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of the complaint for failure to prosecute under Federal Rule of Civil Procedure 41(b).

This case remains referred to the assigned United States Magistrate Judge for continuing pretrial management.

**SIGNED: January 13, 2021.**



**ADA BROWN**  
**UNITED STATES DISTRICT JUDGE**